

**EXHIBIT B**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DANA MARTINEZ, formerly DANA WALLACE, on  
behalf of herself and all others similarly  
situated,

Plaintiff

-against-

STEPHEN R. MASON.

Defendant

-----x

CV-98 4999  
(CBA)

**FILED**  
IN CLERK'S OFFICE  
U. S. DISTRICT COURT E.D. N.Y.  
★ OCT 20 1998 ★  
TIME A.M. \_\_\_\_\_  
P.M. \_\_\_\_\_

**ORDER**

This matter coming before the Court on the joint request of ("Plaintiff") for approval of a class wide settlement agreement, and the Court being duly advised in the premises, **IT IS HEREBY ORDERED:**

1. The Court certifies for the purposes of settlement, pursuant to Fed.R.Civ.P. 23(b)(2), a class of all persons within the State of New York who within one year prior to August 3, 1998 were sent letters by the Defendant at addresses within the State of New York in which the Defendant attempted to collect personal debts allegedly owed to creditors.

2. The Court finds based upon the parties' stipulations

only for the purpose of settlement:

a. The class is sufficiently numerous that joinder is impracticable. There are over 1,000 (one thousand) persons in the class as defined above.

b. Common questions of fact and law predominate over any questions affecting any individual class members. The common questions concern the alleged use by Defendant of false, deceptive and misleading means when attempting to collect alleged consumer debts, the alleged contradiction of the 30 day debt validation/dispute rights by the Defendant, the alleged threatening of illegal action by the Defendant.

c. Plaintiff is appropriate and an adequate representation for the class.

d. Robert L. Arleo, Esq. is an adequate class counsel.

e. A class action is a superior method for the fair and efficient adjudication of the claims of the class.

f. The Plaintiff has requested injunctive relief, declaratory relief and statutory damages. The Court finds that the requests for declaratory and injunctive predominate over the request for statutory damages. This finding is made in light of the de minimus amount of statutory damages that each class member might receive, the cy pres distribution of the settlement amount and the fact that the damages would have flowed from the injunctive and declaratory relief.

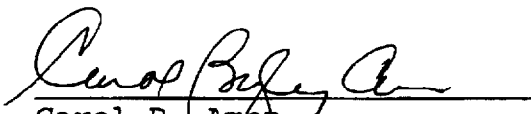
3. The Court finds that the proposed settlement is within the range of fairness and reasonableness and grants approval of it.

4. Pursuant to the settlement of this action, Defendant has agreed that he will cease using the letters which are the basis of the herein class action.

5. The Court dismisses the claims of Plaintiff and the class against Defendant and the Released Parties (as defined in the settlement agreement) with prejudice and without cost.

6. The Court retains jurisdiction over the interpretation, enforcement and implementation of the settlement agreement and this Order.

Enter:

  
Carol B. Amon  
United States District  
Judge

DATED: October 19, 1958